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REMARKS

In response to the Office Action dated April 10, 2006, Applicants note the following facts:

An Office Action for the subject application was mailed on August 26, 2005. Applicants held an in-person interview with the Examiner on October 19, 2005 to discuss the issues in the Office Action. During the Examiner interview, the Examiner discussed amending the claims to recite treating acute/chronic inflammatory and immune processes/diseases, which are supported by the priority application USSN 07/670,827, filed March 18, 1991. A copy of the Examiner Interview Summary Record, dated October 19, 2005, is attached.

In response to the Office Action mailed August 26, 2005 and in accordance with the Examiner Interview Summary Record, Applicants, in the Amendment mailed January 26, 2006, amended independent Claim 3 and added new Claim 20 to recite "TNF α -mediated inflammatory and immune disease." Claims 14-15, 17-18 and 21-32 depend upon Claim 3, and, therefore, contain the same limitation. Applicants also added independent Claim 33 to recite "TNF α -mediated inflammatory and immune processes" and added dependent Claims 34 and 35, which recite that the TNF α -mediated inflammatory and immune processes are acute and chronic inflammatory and immune processes.

In an Office Action mailed April 10, 2006, the Examiner stated that the Amendment, mailed January 26, 2006 (received January 30, 2006), was non-responsive because the claims were drawn to generic non-elected inventions and, thus, no longer directed to the species. In a telephone call with the Examiner held on April 18, 2006, Applicants' Attorney, the undersigned, discussed these facts and the Examiner requested that a copy of the Examiner Interview Summary Record be forwarded to him. ✓

In addition, no restriction requirement or requirement for species election has been issued in this application, and no election of invention or species has been made. The claims are not drawn to a generic non-elected invention.

The Amendment mailed on January 26, 2006 was a bona fide and responsive reply to the Office Action mailed August 26, 2005. Therefore, Applicants respectfully request that the Amendment be entered.

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CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: April 19, 2006



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER NUMBER

1644

10/19/05

DATE MAILED.

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) Deirdre Sanders (3) Kenn Townsend
(2) Philip Gamber (4) Christine Doe

Date of interview

10/19/05

Type: ☐ Telephonic ☐ Personal (copy is given to ☐ applicant ☒ applicant's representative),Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description:Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed:

PENDING

Identification of prior art discussed:

OF RECORD

Description of the general nature of what was agreed to if an agreement was reached, or any other comments.

DISCUSSED CLAIMS TREATING ACUTE/CHRONIC
INFLAMMATORY AND IMMUNE PROCESSES/DISEASES
SUPPORTED BY PRIORITY ISSN 07/670827

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Philip Gamber
Examiner's Signature